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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

BLAKE et al

Atty. Ref.: 39-187; Confirmation No. 4136

Appl. No. 09/367,261

TC/A.U. 1625

Filed: August 10, 2001

Examiner: Dentz, B.

For: DRUG TARGETING

* * * * *

September 30, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

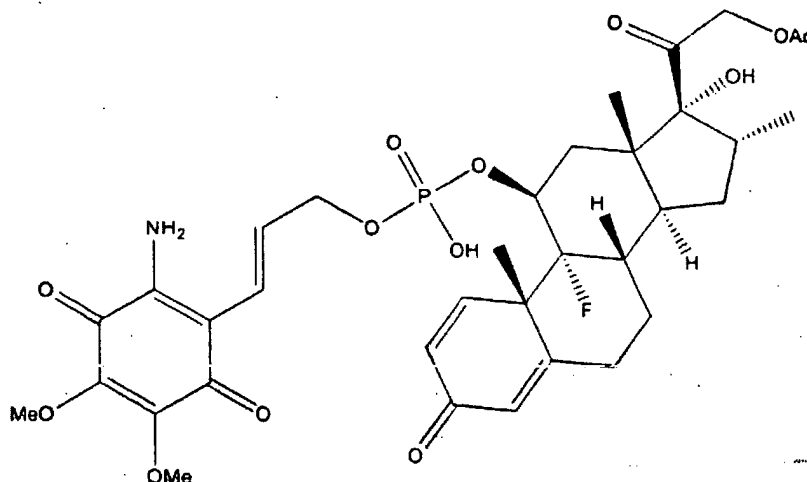
Sir:

RESPONSE

In response to the Examiner's requirement for restriction, set forth in the Office Action dated March 30, 2009, the period for response having been extended up to September 30, 2009 by submission of the required petition and fee herewith, Applicants elect the subject matter of Group I (claims 6-8, 17 and 21-25) for prosecution in this application. That election is made with traverse for the reasons set forth below.

Multiple Actions have issued in connection with this Application without any requirement for restriction. Clearly, the Examiner has searched the relevant art and has not found that search to be unduly burdensome. No justification is seen for requiring restriction at this late date and the Examiner is urged to reconsider his position and withdraw the requirement for restriction.

In response to the Examiner's requirement for election of species, Applicants elect the following:



This election is also made with traverse as it is clear from the prosecution history to date that no undue search burden would be placed on the Examiner if all of the relevant species were to be considered together.

Claims readable on the elected species includes claims 6, 8 and 22-25.

An early and favorable Action on the merits is awaited.

Respectfully submitted,

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